

# ARKANSAS GENERAL ASSEMBLY

## Arkansas Legislative Task Force on Athletic Training in Public Schools

Representative Keith Ingram, Chair

### MEMORANDUM

TO: Members of the Senate Interim Committee on Education and the House Interim Committee on Education

FROM: Representative Keith Ingram, Chair, Arkansas Legislative Task Force on Athletic Training in Public Schools

SUBJECT: Final Report of the Arkansas Legislative Task Force on Athletic Training in Public Schools

DATE: December 30, 2010

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Pursuant to the provisions of Act 1453 of 2009, we are submitting the Final Report of the Arkansas Legislative Task Force on Athletic Training in Public Schools for your review. The Task Force worked diligently towards completion of the responsibilities assigned to it by Act 1453. The Task Force conducted a series of meetings, heard testimony from a number of experts in the fields of athletic training, sports medicine, athletic directors, and athletic associations.

We hope you find this report useful. Please do not hesitate to contact me or the staff person assigned to the Task Force, Karen Holliday, if you have any questions or need additional information. Karen's telephone number is 501-537-9167.

Attachment

**ARKANSAS GENERAL ASSEMBLY**

**FINAL REPORT**

***ARKANSAS LEGISLATIVE TASK FORCE ON  
ATHLETIC TRAINING IN PUBLIC SCHOOLS***

**SUBMITTED  
TO THE**

**HOUSE INTERIM COMMITTEE ON EDUCATION  
AND THE  
SENATE INTERIM COMMITTEE ON EDUCATION**

**DECEMBER 30, 2010**

# FINAL REPORT

## Arkansas Legislative Task Force on Athletic Training in Public Schools

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**ARKANSAS LEGISLATIVE TASK FORCE  
ON ATHLETIC TRAINING IN PUBLIC SCHOOLS  
(total of 20 members)**

**Voting Members**

1. Three members appointed by the Chair of the Senate Education Committee
  - a. **Senator Johnny Key**  
1105 Delwood Lane  
Mountain Home, AR 72653  
870-424-3058
  - b. **Senator Mary Anne Salmon**  
29 Heritage Park Circle  
North Little Rock, AR 72116  
501-753-4521
  - c. **Senator Shane Broadway**  
201 S. E. 2nd  
Bryant, AR 72022-4025  
501-682-6050
  
2. Three members appointed by the Chair of the House Education Committee
  - a. **Representative Mark Perry**  
P. O. Box 97  
Jacksonville, AR 72078  
501-982-4561
  - b. **Representative Linda Tyler**  
40 Richland Hills Drive  
Conway, AR 72034  
501-329-8644
  - c. **Representative Keith Ingram**  
P. O. Box 1028  
West Memphis, AR 72303  
870-735-9580
  
3. Three members appointed by the Chair of the Senate Public Health Committee
  - a. **Senator Steven Bryles**  
Room 320, State Capitol  
Little Rock, AR 72201  
870-838-4405
  - b. **Senator Sue Madison**  
573 Rockcliff Road  
Fayetteville, AR 72701  
479-442-2997

c. **Senator Jack Crumbly**  
1823 SFC 414  
Widener, AR 72394  
870-792-8486

4. Three members appointed by the Chair of the House Public Health Committee
  - a. **Representative Gregg Reep**  
409 N. Walnut St.  
Warren, AR 71671
  - b. **Representative Curren Everett**  
9600 Highway 9 South  
Salem, AR 72576
  - c. **Representative Johnny Hoyt**  
15 Country Lane  
Morrilton, AR 72110

### **Non-voting Members**

1. One member from the Department of Workforce Education  
Never appointed
2. One member from the Department of Education  
**Dr. Dee Cox**
3. One member from the Department of Higher Education  
**Brooks Harrington**
4. One member from the Arkansas Athletic Trainers Association  
**BJ Maack**
5. One member from the Arkansas School Nurses Association  
**Paula Smith**
6. One member from the Arkansas Activities Association  
**Joey Walters**
7. One member from the Arkansas Rural Education Association  
**Jim Loyd**
8. One member from the Arkansas Association of Educational Administrators  
**Mike Mertens**

A chair shall be selected by majority vote of all voting members at the first meeting of the task force. Only voting members of the task force are eligible to chair the task force. The chair shall vote only in the case of a tie vote.

1. **Chair:** Representative Keith Ingram

**ACT 1453 of 2009**

**CHARGE TO THE TASK FORCE**

*The Arkansas Legislative Task Force on Athletic Training in Public Schools shall:*

- (1) Study health care issues concerning secondary school student athletes;*
- (2) Evaluate the current athletic training curriculum and recommend changes to the athletic training curriculum;*
- (3) Monitor the standards of care for student athletes; and*
- (4) Explore funding opportunities for potential pilot programs.*

# ARKANSAS GENERAL ASSEMBLY

## Arkansas Legislative Task Force on Athletic Training in Public Schools (Act 1453 of 2009)

The members of the Arkansas Legislative Task Force on Athletic Training in Public Schools (herein referred to as the Task Force) strongly believe that providing for the safety and welfare of students who participate in school athletics of any type is of foremost importance. Schools must be encouraged to develop plans and guidelines and put them in place before a tragic event occurs. Schools must become proactive rather than reactive regarding safety issues for their athletes.

Every school should write and implement a plan or program to deal with athletic healthcare issues, for both practices and games for every sports activity. This includes, but is not limited to, concussion recognition and management, environmental issues (heat and lightning), communicable diseases (MRSA), and for dealing with an emergency (a 911 plan). The best solution to assist schools in accomplishing these goals is to have an athletic trainer on staff. If economically feasible, districts should give serious consideration to employing athletic trainers.

The Task Force proposes submitting legislation during the 2011 legislative session to extend the Task Force for an additional two years. Members feel there are still a number of issues that need studied, evaluated, and monitored.

### PILOT PROGRAM

The Task Force recommends establishing a two-year pilot program to place one or more athletic trainers in school districts without consistent access to an athletic trainer. The pilot program could be implemented through one of the state's education service cooperatives that includes multiple rural school districts at the 4A level or below. The schools within the cooperative could be approached about sharing one or more athletic trainer through the cooperative, including sharing the cost of the trainer's salary. Each school sharing the trainer would need to provide a room or office area, plus furnish supplies with which to equip the athletic trainer.

The Task Force recommends that within the next two years every junior high and senior high school with athletic programs draft a plan outlining how they would begin to place athletic trainers in their school district or on individual school campuses.

An organization or institute would be needed to monitor the pilot program. The universities that offer Athletic Trainer degrees could be approached to determine if one might be willing to oversee the pilot program. The benefit would be immediate and future increased job availability for students graduating with an Athletic Trainer's degree.

The Task Force recognizes there are not enough certified athletic trainers present in the state to place one in every school at this point. The Task Force recommends encouraging the Arkansas Department of Higher Education to persuade the state's colleges and universities to expand their Athletic Trainer degree programs. One possibility would be to offer a dual degree that would allow a person to both teach and be an athletic trainer. There is a shortage of biology and science teachers. Someone holding a dual degree, which includes certification to teach science courses, might provide an option to small schools who can't afford a full-time athletic trainer.

It was suggested that the Office for Education Policy at the University of Arkansas at Fayetteville be contacted to see if they might be interested in doing a study of athletic safety plans, sports management plans, developing a model for rural schools, or overseeing a pilot program to ascertain the importance and need for athletic trainers to be present on all school campuses.

### **HEALTH AND SAFETY ISSUES**

It has been noted that the Arkansas Activities Association (AAA) is recommending schools put in place a plan or policy on how to handle health issues that might arise during sports practices and games that are played in high heat conditions. They are also encouraging schools to establish guidelines on how to handle student athletes who have sustained a concussion. It is now understood that adolescent athletes are particularly vulnerable to the effects of concussion. The Task Force strongly believes that schools should be directed to incorporate guidelines on dealing with dehydration and heat related illness and also concussions as part of their permanent policies.

The Task Force recommends that schools have the freedom to draft their own plans, guidelines, or policies so they may tailor them to their specific needs and situation. The plans could be submitted to either the AAA or the Arkansas Department of Health for review and monitoring. Plans cannot be submitted to the Arkansas Department of Education because the Department does not regulate interscholastic activities.

It was suggested that the AAA might be willing to help schools write their plans. AAA already has model plans available. AAA could collaborate with each school on the contents of their plan.

The Task Force highly recommends that coaches take the courses offered by the AAA at a minimum of every two years as part of their 60 hour professional development requirements. A component could be included to train coaches to educate parents on sports safety issues; for example, how to recognize heat related problems and potential concussion side effects.



### **FURTHER RECOMMENDATIONS**

The Task Force recommends coordinating its efforts and goals with the Arkansas Activities Association (AAA).

It was suggested that a sports writer be contacted to see if they might be willing to write an article about the efforts of the Task Force, especially the pilot program. This might help generate outside interest and disseminate the ideas and information to a wider audience.

The Arkansas Department of Health was contacted to see if they have a grant that could be used to fund a sports medicine division or a pilot program. Health Department staff responded saying they are not aware of any grants available through their agency or any other agencies that would be of assistance in this area.

## Guest Speakers

### **February 25, 2010**

1. Jim Rowland, Athletic Director, Fort Smith School District
2. B. J. Maak, President, Arkansas Athletic Trainers Association (AATA)
3. Jason Cates, certified Athletic Trainer

### **April 14, 2010**

1. Kembra Mathis, Athletic Trainer, Bentonville High School—Sports Medicine Curriculum
2. Dr. Darrel Nesmith, Sports Medicine Team, Adolescent Center, Arkansas Children's Hospital

### **May 19, 2010**

1. Dean Weber, Athletic Trainer, University of Arkansas Fayetteville
2. David Strickland, Athletic Trainer, University of Central Arkansas
3. Joey Walters, Arkansas Activities Association (AAA)
4. Steve Forbush, Arkansas Physical Therapy Association

### **July 8, 2010**

1. B. J. Maak, President, Arkansas Athletic Trainers Association (AATA)

### **August 25, 2010**

1. Dr. James Bryan, Sports Medicine Physician, Little Rock

### **October 26, 2010**

1. Patti James, mother, and son Will James (heat stroke victim), Pulaski Academy
2. Judy Pulice, Liaison for Governmental Affairs, National Athletic Trainer's Association

**APPENDIX A**  
**ACT 1453 OF 2009**

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

**Act 1453 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

*As Engrossed: H4/3/09*

**A Bill**

HOUSE BILL 2129

5 By: Representative Everett  
6  
7

**For An Act To Be Entitled**

9 AN ACT CONCERNING THE CREATION OF *THE ARKANSAS*  
10 *LEGISLATIVE TASK FORCE ON ATHLETIC TRAINING IN*  
11 *PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.*  
12  
13  
14

**Subtitle**

16 CONCERNING THE CREATION OF *THE ARKANSAS*  
17 *LEGISLATIVE TASK FORCE ON ATHLETIC*  
18 *TRAINING IN PUBLIC SCHOOLS.*  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. TEMPORARY LANGUAGE - DO NOT CODIFY.

24 (a) There is created the Arkansas Legislative Task Force on Athletic  
25 Training in Public Schools.

26 (b) The task force shall consist of the following:

27 (1) Voting members:

28 (A) Three (3) members of the General Assembly appointed by  
29 the Chair of the Senate Committee on Education;

30 (B) Three (3) members of the General Assembly appointed by  
31 the Chair of the Senate Committee on Public Health, Welfare, and Labor;

32 (C) Three (3) members of the General Assembly appointed by  
33 the Chair of the House Committee on Education; and

34 (D) Three (3) members of the General Assembly appointed by  
35 the Chair of the House Committee on Public Health, Welfare, and Labor; and



1           (2) Nonvoting members:

2                   (A) One (1) member from the Department of Workforce

3 Education;

4                   (B) One (1) member from the Department of Education;

5                   (C) One (1) member from the Department of Higher

6 Education;

7                   (D) One (1) member from the Arkansas Athletic Trainers

8 Association;

9                   (E) One (1) member from the Arkansas School Nurses

10 Association;

11                   (F) One (1) member from the Arkansas Activities

12 Association;

13                   (G) One (1) member from the Arkansas Rural Education

14 Association; and

15                   (H) One (1) member from the Arkansas Association of

16 Educational Administrators.

17           (c)(1) A chair shall be selected by majority vote of all voting  
18 members at the first meeting of the task force, which shall be held within  
19 thirty (30) days of the effective date of this act.

20           (2) Only voting members of the task force are eligible to chair  
21 the task force.

22           (3) The chair shall exercise his or her vote only in the case of  
23 a tie vote.

24           (d) Meetings of the task force shall be held at least one (1) time  
25 every three (3) months but may occur more often at the call of the chair or  
26 by petition by a majority of the voting members.

27           (e) The task force may solicit, accept, and expend gifts and grants.

28           (f) If a vacancy occurs on the task force, the vacancy shall be filled  
29 by the same process as the original appointment.

30           (g) The task force shall establish rules and procedures for conducting  
31 business.

32           (h) Legislative members of the task force shall be entitled to receive  
33 reimbursement for expenses and per diem at the same rate and from the same  
34 source as provided by law for members of the General Assembly attending  
35 meetings of interim committees.

36           (i) A majority of the members of the task force shall constitute a

1 quorum for transacting any business of the task force.

2 (j) The Bureau of Legislative Research shall provide staff for the  
3 task force.

4 (k) The task force shall be abolished on December 31, 2010.

5  
6 SECTION 2. TEMPORARY LANGUAGE - DO NOT CODIFY

7 (a) The Arkansas Legislative Task Force on Athletic Training in Public  
8 Schools shall:

9 (1) Study health care issues concerning secondary school student  
10 athletes;

11 (2) Evaluate the current athletic training curriculum and  
12 recommend changes to the athletic training curriculum;

13 (3) Monitor the standards of care for student athletes; and

14 (4) Explore funding opportunities for potential pilot programs.

15 (b) The task force shall submit a written report to the House  
16 Committee on Education and the Senate Committee on Education no later than  
17 November 1, 2010.

18  
19 /s/ Everett

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21 APPROVED: 4/10/2009

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## **APPENDIX B**

### **MINUTES OF THE MEETINGS**

**February 25, 2010**

**April 14, 2010**

**May 19, 2010**

**July 8, 2010**

**August 25, 2010**

**October 26, 2010**

**ARKANSAS LEGISLATIVE TASK FORCE ON ATHLETIC TRAINING IN  
PUBLIC SCHOOLS  
ACT 1453 of 2009**

**FEBRUARY 25, 2010  
MINUTES**

The Arkansas Legislative Task Force on Athletic Training in Public Schools met Thursday, February 25, 2010, at 3:00 p.m., Room 138, State Capitol, Little Rock, Arkansas.

**Legislative Task Force Members Present:** Representatives Keith Ingram, Mark Perry, Linda Tyler, and Senator Shane Broadway

**Non-legislative Task Force Members Present:** Mr. B.J. Maack, President, Arkansas Athletic Trainers Association,

Representative Ingram called the meeting to order.

**Agenda item #1:** Representative Ingram recognized Mr. Jim Rowland, Athletic Director of the Fort Smith School District, as guest speaker. Mr. Rowland spoke of how having two athletic trainers in the Fort Smith School District has been very beneficial. He said both trainers are provided a car. He then described many of the trainers' responsibilities. The trainers are responsible for the prevention and care of all the athletes in all the district's sports programs. Each year they plan and organize physicals for 2,000 student athletes from the 7th through the 12th grades. He explained that all the physicals are done in one day by 30 doctors using facilities at the Advanced Health Education Center (AHEC) and Health South clinics in Fort Smith. The clinics close down for the day and the trainers have busses carry the students to and from school. Mr. Rowland said there is a minimal charge of \$10.00 to each athlete. The trainers also file and track the physicals and the parent permission forms. The trainers ensure athletes receive proper treatment and rehabilitation following injuries. Mr. Rowland explained that both trainers have close contact with doctors in the community. They advise the schools' coaches when an athlete should return to competition following an injury. Mr. Rowland said there are 70 coaches in their district who rely on the trainers to make decisions in medical situations. The trainers inventory all athletic medical supplies, and report and file all athletic injury reports. They make sure all insurance claims are filed. They are present at practices and games for all of the schools. Mr. Rowland explained that during athletic practices the trainers are on-site at the high schools the majority of the time. The junior high schools are located nearby allowing time for trainers to respond to calls from junior high school coaches as needed. Should a catastrophic injury occur, both trainers assist administrative personnel until paramedics arrive. Their training also includes evaluation for cervical injuries, concussions, application of Cardiopulmonary Resuscitation (CPR), and the operation of an Automated External Defibrillator (AED). Both trainers have AED's in their vans. Mr. Rowland said that when an athlete is injured the trainers make immediate referrals to doctors in the area. Following an injury, the trainers mediate between the doctors, coaches, and the parents. Another responsibility the trainers have is ordering all medical supplies for the school year for all the schools. They help maintain proper medical equipment. They inspect all athletic facilities to ensure the safety of the athletes. Mr. Rowland explained that the certification for the trainers is a rigorous process and he feels their school district is fortunate to have two certified athletic trainers. Mr. Rowland told the Task



Force that Fort Smith's first athletic trainer started in 1983. Until two years ago, Sparks Medical Center and St. Edwards Hospital provided the trainers to the schools at no cost to the district. Due to the economy, both hospitals stopped providing the trainers. Mr. Rowland said when the hospitals were no longer able to provide the trainers he went to the District's school superintendent. He said the superintendent of schools recognized the value and importance of the trainers to the schools and chose to include the salaries and costs of two trainers in the district's budget. Mr. Rowland said another service the trainers provide is training students to be assistants beginning in the 10th grade. He noted that many of these students go on to college to pursue a career in the athletic trainers field. He told of a student who went on to be an athletic trainer at the University of Arkansas at Fayetteville. Mr. Rowland then answered questions from Task Force members. One question was whether or not the trainers work during the summer when schools are closed? Mr. Rowland said they are not on 12 month contracts and not paid in the summer, but they do provide rehabilitation and assist as needed throughout the summer. Another question was whether or not the district has information on insurance costs savings compared to schools who do not have trainers? Mr. Rowland said he did not have specific information but believes having trainers to maintain insurance claims and keep reports current is beneficial. It was suggested comparing schools with athletic trainers to those without trainers would benefit the Task Force.

**Agenda item #2:** Representative Ingram recognized Mr. B.J. Maack, President, Arkansas Athletic Trainers Association, (AATA) who addressed the task force about statistics of injuries suffered by athletes. He said 2008 through 2009 statistics showed over 400,000 concussions suffered by high school athletes. Mr. Maack said reports indicated that some athletes who suffered multiple concussions resulted in permanent damage. Mr. Maack then reported on a national summit held recently with 29 health care and sports associations which resulted in a report of 7 recommendations for student athletes. Exhibit A lists the recommendations. Mr. Maack described one of the recommendations as providing access to health care professionals qualified to make assessments and decisions, and another recommendation is to eliminate the culture of "playing through pain", emphasizing the difference between pain and serious injury.

**Agenda item #3** Mr. Mack spoke to the task force about the beneficial assets of athletic trainers. He said trainers are able to assist anyone on school campuses by attending sporting events, and extra-curricular activities. Mr. Maack was asked about the relationship between athletic trainers and school nurses? He responded that the trainers work closely with school nurses but do not dispense medication or assume any of the duties of the school nurses.

**Agenda item #4:** Representative Ingram introduced Exhibit C. Mr. Jason Cates, certified Athletic Trainer said a previous task force had requested bill tracking. He told the Task Force the National Athletic Trainers Association had been contacted about legislation enacted around the country. He also said a previous Task Force had shown interest in legislation for states bordering Arkansas. Mr. Mack added that there are 11 states with pending legislation on concussion management, AED issues, and safety issues of student athletes. Mr. Maack also said the goal of the Athletic Trainers Association is to place an Athletic Trainer in all Arkansas schools.

**Agenda item #5:** Representative Ingram recognized Mr. Maack to discuss Exhibit D, athlete fatalities. Mr. Maack told the task force that most of the reported fatalities throughout the country had occurred in schools where no qualified medical professionals were on staff. He said statistics have shown that having certified trainers on-site greatly improves the chance of survival following injuries.

**Agenda item #6:** Mr. Mack spoke about Act 1453 of 2009 which created the Task Force. He said the report they prepare could provide recommendations in addition to its findings. He also said there had been some discussion in the past about funding from the state for a pilot program to fund athletic trainers in school districts around the state, using a sample of about 10 programs in different areas of the state and different classifications of schools. The pilot program would fund the positions for two years, have a central data collection administrator to look at injury statistics and injury rates, and measure public feedback over 2 years. He said the trainers association would like the Task Force to research ways of obtaining grant money. Mr. Mack said there are six undergraduate programs and one graduate program in Arkansas, but most graduates have to go out of state to find a job.

Representative Ingram said he would like the Task Force to look at some pilot programs that have already been started, including Hawaii and Kentucky. He wants the Task Force to work with Mr. Maack to review those programs and discuss whether or not they could be replicated in Arkansas. He also said he would like to have discussion on Career Pathways. The Task Force might consider legislation to mandate Athletic Trainers in every school district.

Representative Ingram said that members would be notified of the next meeting date.

The meeting adjourned at 4:05 p.m.

**ARKANSAS LEGISLATIVE TASK FORCE ON ATHLETIC TRAINING  
IN PUBLIC SCHOOLS  
ACT 1453 of 2009**

**APRIL 14, 2010  
MINUTES**

The Arkansas Legislative Task Force on Athletic Training in Public Schools met Wednesday, April 14, 2010, at 9:00 a.m., Room 138, State Capitol, Little Rock, Arkansas.

Legislative Task Force members present were Representatives Keith Ingram and Mark Perry.

Non-legislative Task Force members present were Mr. B.J. Maack, Mr. Brooks Harrington, Mr. Jim Loyd, Mr. Mike Mertens, and Mr. Joey Walters.

Representative Ingram called the meeting to order. Minutes from the February 25, 2010 meeting were approved by acclimation.

Representative Ingram introduced Ms. Kembra Mathis to address Worker's Compensation issues. Ms. Mathis is an athletic trainer at Bentonville High School. She has implemented the first-ever Sports Medicine Curriculum in the state. She described a study done regarding the impact of athletic trainers on health care. She said 96% of companies she studied reported an impact on their Worker's Compensation numbers. Ms. Mathis said that in 2009, in her own school district, 60% of all injuries reported were muscular-skeletal, most of which could have been treated in-house. Athletic Trainers could work with injured school employees for the initial treatment course rather than immediately filing a Worker's Compensation claim. She asked the Task Force to consider the idea of encouraging part-time athletic trainers to also serve as part-time teachers, which would allow money for their salaries to come from different sources.

Representative Ingram asked Mr. Jim Loyd what he found in his district concerning Worker's Compensation claims, and if he thinks Ms. Mathis' suggestion would be a viable alternative to an outside funding source. Mr. Loyd said the Arkansas School Board Association's Worker's Compensation Committee, which he serves on, discussed the idea of athletic trainers treating staff injuries in addition to student injuries. They believe it would work as long as the trainer is approved through Worker's Compensation Association.

Representative Ingram said Ms. Mathis comments about part-time athletic trainers also serving as part-time teachers is what Mr. Maack is interested in promoting to help schools afford Athletic Trainers. Athletic Trainers could also provide a possible alternative to opening a Worker's Compensation claim if they could be allowed broader leeway in treating injuries. Mr. Maack confirmed. He said Ms. Mathis ran some numbers in 2009 on the Bentonville School District which showed \$25,000 in Worker's Compensation claims reported by school staff for muscular-skeletal injuries, similar injuries that occur to athletes on the field. Again, these types of injuries could be addressed by athletic trainers.

Mr. Mike Mertens with the Arkansas Association of Education Administrators asked Ms. Mathis to talk about athletic trainers' education. She said to become a certified trainer requires a four year degree, plus pass a national certification exam, and secure a state license. Some trainers get a teaching degree along with the athletic trainer degree. This allows them to teach Sports Medicine courses and introduction to medical terminology. Mr. Mertens asked if there is a way to find out the number of Athletic Trainers in Arkansas who also have teaching degrees? Ms. Mathis said the numbers are very low. Most trainers in Arkansas with teaching degrees have transferred in from other states. There are very few dual certified people.

Representative Ingram asked if there is an overlap between athletic trainers and physical therapists? Mr. Maack said there is some overlap in rehabilitation of injuries and some prevention issues where training is the same. He said athletic trainers have more training and qualifications in emergency medicine issues and physical therapist have more non-sports therapy training. Physical therapists have post graduate education and athletic trainers have undergraduate degrees. Physical Therapists don't have as much training in muscular injuries.

Representative Ingram next recognized Dr. Darrel Nesmith. Dr. Nesmith is a physician with the Sports Medicine team at the Adolescent Center at Children's Hospital. He spoke about concussions and said research has shown the injury to be much more serious than previously thought. He also talked about the science of concussions and changing attitudes, particularly not allowing athletes to continue to play following a concussion. The Centers for Disease Control and Prevention (CDC) and other sources provide statistics on sports concussions. Annually 300,000 sports concussions occur and 85% go undiagnosed. For 15 to 24 year olds, sports concussions are second only to motor vehicle accidents in causing traumatic brain injuries. Concussion rates are increasing in high school sports. Young athletes are more susceptible to concussions and take longer to recover, upwards of a week, with some taking up to several weeks. Dr. Nesmith said that re-injury is a big concern. When an athlete has a concussion, they are more susceptible to re-injury, particularly soon after the first concussion or during the recovery phase. Dr. Nesmith said he sees a lot of the post-concussion syndrome in his clinic at Children's Hospital,

especially when an athlete has had a second concussion. Even with the improvement of equipment, kids are now bigger and stronger, and hit harder. Newer, stricter guidelines for managing concussions in young athletes are based on new data and statistics concerning recovery from concussion. Key elements in protecting student athletes from the consequences of a concussion are proper recognition of the injury by trained personnel, objective means of assessing concussion severity, medically-guided return to play, and educating athletes, coaches, and parents on the significant impact of concussions. Mr. Joey Walters with the Arkansas Activities Association mentioned there are now other athletes susceptible to concussion. Those are cheerleaders, gym dance, and wrestling, a fairly new sport in Arkansas.

Mr. B.J. Maack with the Arkansas Athletic Trainers Association addressed a handout from Judy Pulice with the National Athletic Trainers Association. She reported that in 2010 there are 21 states with 45 pieces of legislation pending regarding athlete safety. A number of parent activist groups are also seeking legislation. The Parent Heart Watch wants to mandate a national database of sudden youth athlete deaths. The National Cheer Safety Foundation wants to create a cheerleading database of cheerleading injuries. The Brain Injury Association is seeking tighter requirements for concussions and return to play decisions. The Taylor Hooten Foundation wants to mandate steroid testing. Advocates for Injured Athletes want athletic trainers at all youth sports venues. There are new standards for treating and responding to concussions, heat-related injuries and other types of sports-related injuries. Mr. Maack said Athletic Trainers having been trained in these areas, would be valuable to school districts and a good reason to have athletic trainers at every school.

Mr. Joey Walters with the Arkansas Activities Association mentioned a website called "No Concussions" that their association has partnered with to receive educational materials. He also said he agrees with Mr. Maack that there is a strong momentum nationwide to educate coaches, students, school personnel, and parents concerning concussions and athlete safety.

Mr. Jason Cates, Arkansas Athletic Trainers Association, remarked that the salary for an athletic trainer can range from \$32,000 to \$50,000. But they are in competition with money schools want to spend on sports related things like field turf and JumboTrons, forcing schools to choose between those and putting athletic trainers in schools. Mr. Joey Walters gave a follow-up comment saying the majority of schools in Arkansas are not looking at turf and JumboTrons, they are just trying to hire teachers and provide programs.

The meeting adjourned at 10:05 a.m.

**ARKANSAS LEGISLATIVE TASK FORCE ON ATHLETIC TRAINING  
IN PUBLIC SCHOOLS  
ACT 1453 of 2009**

**MAY 19, 2010  
MINUTES**

The Arkansas Legislative Task Force on Athletic Training in Public Schools met Wednesday, May 20, 2010, at 1:30 p.m., Room 272, State Capitol, Little Rock, Arkansas.

Legislative Task Force members present were Representatives Keith Ingram, Chair, Mark Perry, Gregg Reep, and Senator Sue Madison.

Non-legislative Task Force members present were Mr. B.J. Maack, and Mr. Joey Walters.

Representative Ingram opened the meeting. Minutes from the April 14, 2010 meeting were approved as submitted.

Representative Ingram recognized Mr. Dean Weber, longtime athletic trainer from the University of Arkansas at Fayetteville. Mr. Weber described several employment avenues for students majoring in athlete healthcare, 1) outreach programs through private clinics, 2) dual positions as trainers/teachers, which is a substantial workload for a trainer, and 3) trainers on-site at schools to facilitate the management of injuries, evaluate field conditions, provide CPR and AED training, and help with referrals to the correct doctor based on type of injury.

Mr. Weber was asked what he thinks the legislature can do to emphasize to schools the need for athletic trainers. He said the legislature could mandate certified trainers in every school, and he believes parents and school associations could find ways to fund the trainers and their salaries. He believes parents whose children participate in athletics expect good healthcare for their children and would support the effort. He also believes once schools have trainers on-site they could also manage workers compensation injuries, negotiate fee discounts with healthcare providers in the community, helping to reduce costs to schools to mitigate the cost of athletic trainers. Mr. Weber was asked if he thinks athletic trainers are needed at the junior high school level? He said trainers are needed for both junior and senior high athletes. He believes trainers could oversee both junior and senior high schools in smaller school systems. Mr. Weber was also asked to talk about trainers acting as mentors to students as a career pathway. He said that many students who are interested in becoming assistants to athletic trainers go on to get a degree in Athletic

Training. Mr. Weber noted that some student assistants opt to go to work at clinics, universities, or pharmaceutical companies.

Mr. David Strickland, athletic trainer for the University of Central Arkansas at Conway, addressed the Task Force. He said over the past several years 5 to 10 students have graduated each year as athletic trainers. However, they cannot find jobs in the state. He said both Texas and New Mexico require athletic trainers in their schools and many of those schools do not require the trainers to teach in addition to their trainer responsibilities. Mr. Strickland said there are 7 universities in Arkansas with students graduating as athletic trainers. Many Arkansas graduates leave the state to find work.

Mr. Joey Walters, Arkansas Activities Association (AAA), was asked if the Association has discussed the need for athletic trainers. Mr. Walters responded there had been discussions, and two years ago the Association began a Sports Medicine Advisory Committee partnered with the Athletic Trainers Association to provide information to schools about the need for athletic trainers. He said as far as any mandates or accreditation requirements, those are left up to the Department of Education. He said the main focus of the Activities Association has been to educate schools about the value of athletic trainers and the experience and knowledge they can provide concerning heat illnesses, concussions, and communicable diseases. He said the Activities Association's main thrust has been to inform and educate not just coaches, but students, parents, and administrators regarding the need for good healthcare for student athletes. Mr. Walters was asked if he thought the Activities Association would go on record urging the legislature to mandate athletic trainers in schools. Mr. Walters said as far as a mandate, he doubted that would happen. He said that often the conversations about trainers has revolved around the 30 largest schools in the state. He said the Activities Association represents all schools and each school gets 1 vote. Of the Activities Association member schools, 80% have 500 students or less and the costs for athletic trainers would be prohibitive to those schools.

Representative Ingram recognized Steve Forbush with the Arkansas Physical Therapy Association. Mr. Forbush said he appreciated being invited to the meeting. He said his concerns parallel those of the Task Force members.

The meeting adjourned at 2:25 p.m.

**ARKANSAS LEGISLATIVE TASK FORCE ON  
ATHLETIC TRAINING IN PUBLIC SCHOOLS  
ACT 1453 of 2009**

**AUGUST 25, 2010  
MINUTES**

The Arkansas Legislative Task Force on Athletic Training in Public Schools met Wednesday, August 25, 2010, at 10:00 a.m., Room 272, State Capitol, Little Rock, Arkansas.

Legislative Task Force members present were Representatives Keith Ingram, Chair, Curren Everett, Johnny Hoyt, Mark Perry, Gregg Reep; and Senators Jack Crumbly and Sue Madison.

Additional legislative members present were Senators Denny Altes and Larry Teague; Representatives Billy Gaskill, Nathan George, Donna Hutchinson, and Butch Wilkins.

Non-legislative Task Force members present were Brooks Harrington, Jim Loyd, B.J. Maack, and Joey Walters.

Representative Ingram opened the meeting. Minutes from the May 19, 2010 meeting were approved as submitted.

Representative Ingram recognized Mr. B.J. Maack, Arkansas Athletic Trainers Association (AATA), to talk about current health issues players experience because of the extreme heat during fall football practice. Mr. Maack told the Task Force three student athletes were hospitalized at Arkansas Children's Hospital. Two of the students are being treated for heat related illnesses. A third student is being treated for a staph infection. Mr. Maack said two of the students are in critical care. The third student, with a heat related illness, is expected to be released from the hospital this weekend.

**Shortage of Athletic Healthcare Standards in the State**

Representative Ingram recognized Dr. James Bryan, a sports medicine physician, for a presentation. Dr. Bryan told the Task Force he gives pre-participation physical evaluations to the Little Rock School District's student athletes. He said there is no standardization in the physical evaluation forms currently being used by the Little Rock schools. He said the forms do not represent the latest treatment recommendations.



Dr. Bryan then described two high profile health incidents involving student athletes, one fatal and one non-fatal. He explained that in the fatal incident a student athlete suffered a cardiac collapse during a basketball game. Dr. Bryan said the most highly qualified health professional present to attend to the student was a nurse from a visiting school. Also, there was a long delay in the initiation of appropriate support care. In the non-fatal incident, Dr. Bryan said the student athlete collapsed last year during a basketball game. However, in that situation an AT from a visiting school was able to initiate a very rapid response, began CPR, and arranged for emergency medical assistance.

Dr. Bryan talked about Automated External Defibrillators (AEDs) which are now being placed in many Arkansas schools. He told the Task Force the hearts of young student athletes are much more likely to be able to be resuscitated. He said heart conditions, heat related illnesses, and head injuries are the main health concerns for student athletes. Dr. Bryan said the prevention of subsequent head injuries due to concussions is extremely important. He suggested the Task Force require schools to develop emergency action plans and rehabilitation recovery plans for student athletes who suffer a concussion.

Dr. Bryan told the Task Force he serves as the Medical Director for the Athletic Training Education program at Henderson University. He tells his AT students there are very few AT jobs available in Arkansas, and most of those jobs are not very secure. A question was asked about costs to schools for a bare bones athletic program? Mr. Joey Walters, Arkansas Activities Association, responded saying that in the Paris, Arkansas schools they try not to use district funds for their football and basketball programs. Instead, they use gate receipts from their football and basketball games to pay for equipment, supplies, and game official's salaries. But, they have to use district funds to pay for their volleyball, cheerleading, tennis and golf programs because those programs do not generate enough money.

Mr. Walters told the Task Force the Paris schools have a total of five coaches for all seventh grade, junior, and senior high school athletic programs. All their coaches teach three to four classes each day in the core curriculum. Mr. Walters said that although salaries for coaches and ATs would be comparable, if schools are required to substitute a full-time AT for a coach, it would mean the loss of a teacher.

Task Force members discussed funding options for hiring ATs. One method is to somehow include ATs in the school funding formula. Another method is to seek funds from private organization, or educational school cooperatives.

Representative Ingram spoke about the news articles he has gathered from across the country concerning injuries and illnesses to student athletes. He told the Task Force that after having read through the news articles and listening to

testimony presented to the Task Force over the last few months, he is convinced of the following:

- o coaches would like to have athletic trainers in their schools
- o the legal community will soon force this issue to be addressed
- o a proactive approach in providing for the health of student athletes would cost much less than a reactive approach

### **Mr. Maack Reviewed His "Talking Points" For the Final Report**

Mr. Maack addressed each of the following:

- ✓ option 1) the Task Force could require schools to submit a plan of how they will provide for athletic health care
- ✓ option 2) the Task Force could mandate that all class 5A, 6A, and 7A schools hire an AT, or require the schools to have access to an AT through a contract
- ✓ option 3) the Task Force could mandate schools with football programs to have an AT on its staff
- ✓ option 4) the Task Force could ask for state funding of a "Pilot Program" to place four to six ATs in schools for a two-year period at a cost of about \$650,000. The pilot program would gather information and report its findings at the end of the two-year period
- ✓ option 5) the Task Force could set a sunset date requiring schools to hire an AT by the year 2020, or contract with an outside provider

Representative Gregg Reep discussed the merits of the first option requiring all schools develop their own plan to provide for the health care of the student athletes.

Mr. Maack also reviewed a section in his handout concerning how to hire an AT, plus the value of having an AT on staff. He reviewed the following list:

- ◆ employ an AT using the same method used by the Fort Smith schools
- ◆ sports med curriculum - under medical technologies program, hire an AT to also teach sports medicine classes sanctioned through the Arkansas Department of Workforce Education approved curriculum
- ◆ shared teacher duties - hire an AT to teach other classes, as well as their AT duties
- ◆ educational co-op – a school could share an AT with another school through their local educational co-op

Representative Ingram asked Mr. Joey Walters, Arkansas Activities Association (AAA), and Mr. Maack to address what is being done in other states regarding the issue of heat related illnesses during football practices. Representative Ingram said he understands Kentucky and Tennessee both have policies to suspend football practice when the heat index reaches a certain level. Mr. Joey Walters, AAC, responded to Representative Ingram and said Arkansas currently does not have a policy on heat. He said the AAC is working on a survey of fifty states to determine what is being done across the country. Mr.

Walters also said the AAC hopes to have the results of the survey by the end of October, 2010. The AAC plans to present the survey results to the AAC membership in January 2011.

Representative Ingram said the next step for the Task Force is to review the talking points discussed at today's meeting and begin consolidating the recommendations for potential legislation.

There was further discussion about how to provide funding for ATs in the schools. Incorporating salaries of ATs in school funding formulas is a potential solution. Another option might be funding could come from private organizations. Dr. Bryan suggested a possible source of funds might come from the Arkansas Department of Health, or area medical clinics. Also suggested were obtaining funds through public health grants, federal grants, or from Tobacco Settlement funds.

The meeting adjourned at 11:15 a.m.

## DRAFT

### ARKANSAS LEGISLATIVE TASK FORCE ON ATHLETIC TRAINING IN PUBLIC SCHOOLS ACT 1453 of 2009

#### OCTOBER 26, 2010 MINUTES

The Arkansas Legislative Task Force on Athletic Training in Public Schools met Tuesday, October 26, 2010 at 10:00 a.m. in Room 272 of the State Capitol, Little Rock, Arkansas.

Legislative Task Force members present were Representatives Keith Ingram, Chair, Gregg Reep and Mark Perry.

Non-legislative Task Force members present were Brooks Harrington, Jim Loyd, B.J. Maack, Mike Mertens, and Joey Walters.

Representative Ingram opened the meeting. Minutes from the August 25, 2010 meeting were approved as submitted.

#### **Comments by Ms. Patti James**

Representative Ingram recognized Ms. Patti James, a guest speaker for today's meeting. Ms. James introduced her son Will, who attends Pulaski Academy. Ms. James told the Task Force her focus is on health and safety issues in high school sports. She explained how her son suffered a heat stroke on August 13, 2010 during football practice. When she and her husband reached the Arkansas Children's Hospital, Will was in a medically induced coma. Will remained in a coma for ten days. He suffered liver damage, was in intensive care for one week, and his kidneys began to fail. Ms. James said Will has fully recovered following three weeks of hospitalization, and three weeks of out-patient dialysis. Ms. James told the Task Force that Will recovered because of Todd Ross, an Athletic Trainer (AT) on the staff of Pulaski Academy, who was present at the football practice. She said Mr. Ross knew the correct steps to take when Will collapsed, instituted those steps immediately, and that is what saved Will's life. She also told the Task Force there were four other student athletes at other schools who all experienced health problems that same day. Ms. James asked the Task Force to strongly encourage schools to place ATs in every school. She said she is aware of the high cost of placing ATs in all the schools.

Ms. James spoke next about Tyler Davenport, a student from Lamar, Arkansas, who collapsed from heatstroke two days before her son Will suffered his heatstroke. Tyler later died. Ms. James said the difference between Will and

Tyler was the Lamar school had no AT on its staff, and was not familiar with currently recommended procedures for heatstroke when Tyler collapsed. Ms. James said she spent many weeks at the Arkansas Children's Hospital with Tyler's parents, Mark and Tina Davenport. Ms. James said Mr. and Mrs. Davenport had prepared a written statement and asked her to bring it to today's Task Force meeting.

Representative Ingram asked Mr. B.J. Maack to read the letter written by Mr. and Mrs. Davenport. Mr. Maack read the following:

*"over the course of the sixty days Tyler was in the hospital he would have great days where we would have a lot of hope for him walking out of the hospital. Then he would get an infection and take a turn for the worst. It was an emotional roller coaster that we never want another parent to go through. On the morning of October 12, 2010, Tyler lost his battle with heat stroke, but became a true warrior in our eyes. This letter is not to put blame on anyone. However, we would like to see some changes made, specifically practicing outside in extreme heat. Tyler has an eleven-year old brother named Hunter. He is very athletic and plays all sports. We want to see some changes made so we can send him to a practice or a game without the fear of losing him the way we lost Tyler."*

#### **Comments by Ms. Judy Pulice, Liaison for Governmental Affairs, National Athletic Trainer's Association**

Representative Ingram recognized Ms. Judy Pulice, National Manager, State and Government Affairs, National Athletic Trainer's Association (NATA). Ms. Pulice discussed a report detailing the number of student athlete deaths throughout the country in 2010, which included two deaths in Arkansas. Ms. Pulice noted the experts in sports medicine have said that deaths resulting from heat illnesses and concussions are 100% preventable, if immediate and knowledgeable medical assistance is available. Ms. Pulice spoke about the importance of having trained Athletic Trainers (ATs) in schools. She complimented the Task Force for the work it has been doing on this important issue and offered to help the Task Force prepare legislation.

#### **Discussion of the final report of the Task Force**

Representative Ingram suggested the Task Force discuss what it wants included in its final report. He wants the Task Force to have its recommendations ready to be presented to the House and Senate Education committees in December, plus have possible legislation ready for the 2011 legislative session.

Mr. Maack suggested the Task Force members review minutes of its previous meetings, consider testimony given by speakers, and include the talking points presented at the August 25, 2010 Task Force meeting.

Mr. Maack highlighted the following recommendations:

- Representative Gregg Reep's suggestion of requiring schools to develop a health care plan for its student athletes
- Create a pilot program in selected schools where there has been no health care for student athletes, plus ask the state to provide funding

Mr. Maack spoke about the possibility of obtaining state funding for a pilot program, or implementing an incentive program, or find matching funds. Mr. Maack told the Task Force the goal of the Arkansas Athletic Trainers Association (AATA) is for every school to have an AT on its staff.

Representative Reep said he thinks any school with an athletic program should be required to develop a health care plan for its student athletes. The schools should submit their plans to a state agency for review, possibly the Arkansas Department of Education (ADE).

Representative Mark Perry said unfunded mandates do not work, plus there are not enough certified ATs currently in Arkansas to place one in every school. Representative Perry suggested the Task Force encourage the Arkansas Department of Higher Education (ADHE) review its AT degree program and consider including teaching credits, which would allow an AT to both teach and function as an AT. Task Force members discussed the number of certified Athletic Trainers (ATs) in Arkansas at this time. Mr. Maack said there are a total of 189 ATs in various employment settings. Only 10 ATs are employed full-time in schools. There are only twelve seniors graduating each year with an AT degree. All the AT graduates leave the state to find work. It was also noted there are 329 school districts in the state. Representative Ingram suggested the Task Force focus its recommendations on the health and safety of student athletes, an issue that comes ahead of new AstroTurf, or new indoor practice facilities.

Mr. Mike Mertens said he believes a pilot program would help raise awareness. It could also help answer some of the questions people still have concerning the need for ATs in schools. Mr. Mertens said it would be helpful to determine how to place ATs into smaller schools who have limited budgets. It would also be helpful to learn how school districts are currently handling injury issues.

Task Force members discussed forming a subcommittee to meet and draft recommendations for its final report. It was agreed that Representative Ingram will choose Task Force members to serve on the subcommittee. He appointed himself, Representative Perry, B. J. Maack, and Mike Mertens to serve.

There being no further business, the meeting adjourned at 11:00 a.m.